

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DEREK STEINBROOK,)	
)	
Plaintiff,)	
)	Case No.
Vs.)	
)	Removed from St. Louis City Circuit Court
SPEE-DEE COURIER, INC. f/k/a)	Cause No. 2222-CC08421
SPEE DEE DELIVERY SERVICE, INC. and)	
NATHAN K. ROESCH,)	
)	
Defendants.)	

NOTICE OF REMOVAL

COME NOW Defendants Spee-Dee Delivery Service, Inc. (improperly pleaded as Spee-Dee Courier, Inc. f/k/a Spee-Dee Delivery Service, Inc.) and Nathan K. Roesch and hereby file their Notice of Removal Based Upon Diversity Jurisdiction, removing the above-entitled action to the United States District Court for the Eastern District of Missouri, Eastern Division, pursuant to 28 U.S.C. §§ 1332, 1441(a) and 1446, and in support of said Removal, states as follows:

1. The above-entitled action, originally filed in the Circuit Court of the City of St. Louis, State of Missouri, is a civil action at law brought by the above-named Plaintiff against Defendants to recover monetary damages arising out of an automobile accident described in Plaintiff's Petition ("subject incident").

2. According to Plaintiff's Petition, at the time of the subject incident, Plaintiff was a resident and citizen of the State of Missouri.

3. Defendant Spee-Dee Delivery Service, Inc. was, at the time of the commencement of said action and ever since, a foreign corporation organized and existing under the laws of the State of Minnesota and maintaining its principal place of business in the State of Minnesota. The chief and

principal office and place of business of Defendant Spee-Dee Delivery Service, Inc. is not in the State of Missouri, and Defendant is not a citizen or resident of the State of Missouri.

4. Defendant Nathan K. Roesch was, at the time of the commencement of said action and ever since, a resident of the State of Illinois.

5. As between Plaintiff and Defendants, the controversy in this action is wholly between citizens of different States.

6. In his Petition, Plaintiff claims to have suffered the following injuries as a result of the subject accident: head injury, broken jaw, scapula fracture, fractured ribs, spleen injury, back injury, compound fractures to both arms and injury to his left wrist. Plaintiff's Petition, ¶ 12. Plaintiff claims that he has undergone medical treatment in the past and will be required to undergo medical treatment in the future, all as a result of the subject accident. Id. at ¶¶ 14-15. Plaintiff also claims to have sustained significant medical expenses. Id. at ¶ 16. Through prior counsel, Plaintiff previously submitted medical bills in the amount of \$332,720.79 to Defendants' counsel. Plaintiff represented that these medical bills correspond to medical treatment made necessary by the subject accident. Plaintiff also claims that he has been unable to work as a result of the subject accident and may be unable to work in the future, and Plaintiff claims to have lost sums of money due to his inability to work. Id. at ¶¶ 17-18.

7. For the reasons stated above, the amount in controversy in this matter, exclusive of interest and costs, exceeds the sum or value of Seventy-Five Thousand Dollars (\$75,000.00).

8. As such, this Court has original jurisdiction pursuant to 28 U.S.C. §1332 and is one which may be removed to this Court pursuant to 28 U.S.C. §1441.

16. This Removal Notice is filed in this Court within thirty days of the service of Plaintiff's Petition upon Defendants.

17. All pleadings and papers which have been filed in the state court action are attached to this Notice of Removal as Exhibit A.

WHEREFORE, Defendants Spee Dee Delivery Service, Inc. (improperly pleaded as Spee-Dee Courier, Inc. f/k/a Spee Dee Delivery Service, Inc.) and Nathan K. Roesch pray this Honorable Court to accept jurisdiction of said action.

/s/ Edward W. Zeidler II

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CERTIFICATE OF SERVICE AND
CERTIFICATE OF COMPLIANCE WITH RULE 55.03(a)

The undersigned hereby certifies that the above and foregoing pleading was filed electronically with the above-captioned Court, with notice of case activity to be generated and sent electronically by the Clerk of said Court to: brent@umnerlawgroup.com Brent A. Sumner and lindsay@sumnerlawgroup.com K. Lindsay Rakers, The Sumner Law Group, LLC, Attorneys for Plaintiff, 7777 Bonhomme Avenue, Suite 2100, Clayton, MO 63105 this 22nd day of September, 2022. Pursuant to Rule 55.03(a), the undersigned further certifies that he signed an original of this pleading and that an original of this pleading shall be maintained for a period not less than the maximum allowable time to complete the appellate process.

/s/ Edward W. Zeidler II

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9/21/2022